

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

SHIRLEY A. BRAZZLE

PLAINTIFF

VERSUS

CAUSE NO. 1:24-CV-193-LG-BWR

**THE UNITED STATES OF AMERICA,
THROUGH SUPERVISOR OF SHIP BUILDING,
CONVERSION, AND REPAIR, UNITED STATES NAVY,
AND ICI SERVICES INC.**

DEFENDANTS

FIRST AMENDED COMPLAINT

This is an action to recover damages for race discrimination and opposition to race discrimination. The following facts support the action:

1.

Plaintiff Shirley Ann Brazzle is a adult resident and citizen of 8921 Point Aux Chenes Road, Ocean Springs, Mississippi 39564.

2.

Defendant Supervisor of Ship Building, Conversion, and Repair, United States Navy, is an arm of the United States Government. It may be served with process by service upon the United States Attorney for the Southern District of Mississippi, upon the Attorney General of the United States, and upon the Chief Executive Officer of the Supervisor of Ship Building, Conversion, and Repair, United States Navy.

3.

Defendant ICI Services Inc., is a private corporation, which is a contractor for the United States of America, through its division, the Supervisor of Ship Building, Conversion, and Repair, United States Navy.

4.

On December 31, 2023, and January 1, 2024, Plaintiff reached out by email to her supervisors to request contact information and procedures for filing employment grievances, attached hereto as Exhibit “E,” “F.” Plaintiff also submitted a formal complaint to the United States Department of Labor on February 16, 2023. Ex. “G.”

Michael Walters, the United States Navy member assigned to investigate Plaintiff’s complaints, completed his investigation on February 16, 2023. Upon information and belief, Walters retired shortly after his investigation was completed.

On May 12, 2023, the Office of the Naval Inspector General informed Plaintiff that it completed its investigation and forwarded the information for further action. Exhibit “H.” To the best of Plaintiff’s knowledge, no further action was taken by the Naval Inspector General after this time.

5.

Plaintiff filed an EEOC charge of discrimination against Defendants, attached hereto as Exhibit “A.” Plaintiff received a Conciliation Failure and Notice of Rights, dated March 22, 2024, attached hereto as Exhibit “B.” The EEOC also found “reasonable cause to believe discrimination occurred.” *See* Letter of Determination, attached hereto as Exhibit “C.”

6.

This Court has federal question jurisdiction under 28 U.S.C. § 1331, and civil rights jurisdiction pursuant to 28 U.S.C. § 1343, and has jurisdiction under the Civil Rights Act of 1964, 28 U.S.C. § 2000, *et seq.*

7.

At all relevant times, Defendants acted jointly to carry out the discriminatory acts complained of, and at all relevant times Defendants were joint employers.

8.

On April 24 2022, Defendant ICI Services Inc. ICI Services Inc., made the decision to hire Plaintiff because she was a desirable employee, due to her experience with ICI's predecessor.

9.

Although hired by ICI Services Inc., Plaintiff worked under the supervision of Samuel Davis, who was an employee of Defendant Supervisor of Ship Building, Conversion, and Repair, United States Navy.

10.

Davis entertained irrational race-based bias against black persons and against Hispanic persons. He targeted black persons and Hispanic persons by ignoring them. Black persons or Hispanic persons who Davis mistreated or singled out for mistreatment included Plaintiff, along with D'waylin Harris (black), Jessica Freeman (Hispanic), and Lametric Sims (black). He also segregated the work place by putting white employees in a separate area.

11.

Plaintiff opposed the discrimination by talking to Davis himself and also by complaining to her boss, Ray Perlanne.

12.

Plaintiff then complained to Cathy Merrill, an employee of the Supervisor of Ship Building, Conversion, and Repair, United States Navy. Plaintiff made her complaint about race discrimination to Merrill in the presence of Reed Williams, Shenttll Morean, and D'walin Harris.

13.

Approximately two (2) weeks after Plaintiff's complaint to Merrill, Plaintiff was discharged by letter dated January 17, 2023. A copy of the letter of January 17, 2023 from Plaintiff's employer, ICI Services Inc., is attached hereto as Exhibit "D."

14.

Defendant ICI Services Inc., claims Plaintiff was discharged because the "government client" made the decision to eliminate her position. The "government client" is Davis.

15.

The two Defendants acted jointly to terminate Plaintiff's services because of her repeated complaints about the racism carried out by Davis; because of her opposition to Davis' racially-discriminatory practices; and because of Plaintiff's race, black.

16.

The termination of Plaintiff was a result of joint action by the two Defendants. They are "joint employers," as defined by the Civil Rights Act of 1964. Also, Defendant ICI Services Inc., is liable to Plaintiff under 42 U.S.C. § 1981.

17.

Plaintiff has suffered lost income and mental anxiety and stress as a result of the race-based discrimination against her and as a result of her wrongful termination.

REQUEST FOR RELIEF

Plaintiff is entitled to actual and punitive damages against Defendant ICI Services Inc., and actual damages against Defendant the United States of America, through the Supervisor of Ship Building, Conversion, and Repair, United States Navy.

RESPECTFULLY SUBMITTED, this the 16th day of August, 2024.

SHIRLEY A. BRAZZLE, Plaintiff

By: /s/ JIM WAIDE

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